

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 19, 1999

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J., Dau, J. (Assigned) and Jim Guzman, Deputy Clerk.

Each of the following:

B126567 People v. Fernandez
B128828 People v. Alonzo
B128114 People v. Medina
B131740 D.C.F.S. v. Michelle C.
B134698 Parketta G. v. S.C.L.A. & D.C.F.S.(RPI)
B131889 People v. Kim
B129268 People v. French
B131462 D.C.F.S. v. Rebecca F.

Argument waived, cause submitted.

B128154 Casper
 v.
 City of Santa Fe Springs

Merits:

Argued by Corey W. Glave for appellant and by Jeffrey C. Freedman for respondent. Cause submitted.

B128092 Bautisa
 v.
 Vidhyapum

Merits:

Argued by Nathaniel J. Friedman for appellant and by Denise H. Greer for respondent. Cause submitted.

DIVISION FOUR (Continued)

B130484 People
 v.
 Simon

Merits:

Argued by Franklin S. Adler for appellant and by Valerie A. Baker for respondent. Cause submitted.

Vogel (C.S.), P.J. leaves bench

B132931 State of California Department of Corrections
 v.
 Workers Compensation Appeals Board
 Garcia, Respondent

Merits:

Argued by Louis Harris for petitioner and by Lilia Ballesteros for respondent. Cause submitted.

B129795 Siembab
 v.
 City of El Monte Redevelopment Agency

Merits:

Argued by Michael J. White for appellant and by no appearance by respondent. Cause submitted.

B126884 Shirzade
 v.
 Oaks & Dyckman

Merits:

Argued by Stanley D. Bowman for appellant and by Steven J. Dawson and Brad N. Baker for respondents. Cause submitted.

Court in recess.

DIVISION FOUR (Continued)

Court reconvened at 1:30 P.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J., Dau, J. (Assigned) and Jim Guzman, Deputy Clerk.

B128335 People
 v.
 Rodgers

Merits:

Argued by Elizabeth A. Bumer for appellant and by David C. Cook for respondent. Cause submitted.

B125742 Paige
 v.
 Cedars Sinai Medical Center

Merits:

Argued by Daniel R. Chaleff for respondent and by Sandra J. Smith for respondent. Cause submitted.

B131437 Langsam
 v.
 South Coast Air Quality Management District

Merits:

Argued by Calvin House for appellant and by Zev S. Brooks for respondent. Cause submitted.

B123119 Mares
 v.
 Meridian Industrial Trust

Merits:

Argued by Larry J. Burge for appellant and by Sean Patrick Paden for respondent. Cause submitted.

DIVISION FOUR (Continued)

B125251 Victor
v.
Hedges & Thermtech, Inc.

Merits:
Argued by Joseph P. Pierry for appellant and by Timothy J. O'Connor for respondents. Cause submitted.

B123190 People
v.
Avanessian and Mouradian

Merits:
Argued by David Kwan and by Michele A. Douglass for appellants and Alene M. Games for respondent. Cause submitted.

B130931 Pearlson
v.
Does 1-646

Merits:
Argued by Gary H. Pearlson for appellant and by and no appearance for respondent. Cause submitted.

B130555 Aloha Pacific
v.
California Insurance Guarantee Association

Merits:
Argued by James L. Goldman for appellant and by Daniel Eli for respondent. Cause submitted.

DIVISION FOUR (Continued)

B122513 Topanga Association
v.
California Coastal Commission

Merits:

Argued by Curtis M. Horton for appellant and by G.R. Overton and Sherman L. Stacey for respondents. Cause submitted.

Court adjourned.

DIVISION FIVE

B125744 People (Not for Publication)
v.
Kevin Span et al.

The judgment as modified is affirmed. The clerk of the superior court is directed to prepare an amended abstract of judgment consistent with this opinion, then deliver a copy of the corrected abstract of judgment to the Department of Corrections.

Godoy Perez, J.

We concur: Turner, P.J.
 Grignon, J.

B126866 People (Not for Publication)
v.
Marcos Lomeli

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.
 Grignon, J.

DIVISION FIVE (Continued)

B127714 People (Not for Publication)
v.
Hai Thanh Vuong

The judgment is affirmed.

Godoy Perez, J.

We concur: Grignon, Acting P.J.
Armstrong, J.

B126341 People (Not for Publication)
v.
Keffer Runnels

The judgment is modified to state that pursuant to section 1202.45, a parole revocation fine of \$200 is imposed, but suspended until such time as Runnels is placed on parole, then later has that parole revoked. In all other respects, the judgment as modified is affirmed. The clerk of the superior court is directed to prepare an amended abstract of judgment consistent with this opinion, then deliver a copy of the corrected abstract of judgement to the Department of Corrections

Godoy Perez, J.

We concur: Turner, P.J.
 Armstrong, J.

B124714 Grant M. Lawseth (Not for Publication)
v.
Arthur Starz et al.

The judgment is affirmed. Respondent(s) to recover costs.

Godoy Perez, J.

We concur: Turner, P.J.
 Grignon, J.

DIVISION FIVE (Continued)

B126451 People (Not for Publication)
v.
Julian Niebla

The clerk of the superior court is directed to correct the abstract of judgment to reflect that the sentences on counts 1 and 2 are to served concurrently. The clerk is further directed to modify the abstract of judgment to show imposition of a \$200 restitution fine (Pen. Code § 1201.4, subd. (b)), a \$200 parole revocation fine (Pen. Code, § 1202.45) a \$100 lab analysis a fee (Health & Saf. Code § 11372.5), a \$100 state penalty assessment (Pen. Code § 1464), and a \$70 county penalty assessment (Gov. Code § 76000). Finally, the clerk is directed to forward the corrected and modified abstract of judgment to the Department of Corrections. As amended, the judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.
 Grignon, J.

B125666 People
v.
Andre L. Madsen

Having read and considered Appellant's Motion to Recall Remittitur and to Refile Opinion, and good cause appearing;

IT IS HEREBY ORDERED that the appellant's motion is GRANTED. The remittitur issued on September 10, 1999, is recalled. The opinion (originally filed on July 9, 1999) is ordered refiled as of the date of this order.

B134110	King Ksiung Hu et al. v. Makram F. Gharib et al.
B136159	King Ksiung Hu et al. v. Makram F. Gharib et al.

Filed order consolidating above captioned appeals.

DIVISION SEVEN

B127333 Marik
 v.
 Federal Deposit Insurance Corporation

 Petition for rehearing denied by operation of law.

B126054 McClure & Freeman
 v.
 Re/Max Beach Cities Realty

 Filed order denying petition for rehearing.